

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

CHARLES AL PINE,  
Plaintiff,

v.

KENDALL RICHARDSON,  
Defendant.

Case No. [18-cv-03690-JD](#)

**ORDER OF TRANSFER**

Re: Dkt. No. 4

This is a civil rights case brought pro se by a Texas prisoner.<sup>1</sup> Plaintiff presents allegations regarding an incident that occurred in Wichita County which is located within the venue of the United States District Court for the Northern District of Texas, Wichita Falls Division. Because the allegations occurred in the Northern District of Texas and plaintiff and the defendants reside there, venue properly lies in that district and not in this one. *See* 28 U.S.C. § 1391(b).

This case is **TRANSFERRED** to the United States District Court for the Northern District of Texas, Wichita Falls Division. *See* 28 U.S.C. § 1406(a). In view of the transfer, the Court will not rule upon plaintiff's motion to proceed in forma pauperis (Docket No. 4) which is **VACATED**.

**IT IS SO ORDERED.**

Dated: July 25, 2018

  
\_\_\_\_\_  
JAMES DONATO  
United States District Judge

<sup>1</sup> While brought as a habeas action, it is clear this is a civil rights action.

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**CERTIFICATE OF SERVICE**


I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on July 25, 2018, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Charles Al Pine  
T.D.C.J. #1422624  
Housing 12-F57  
Iowa Park, TX 76367

Dated: July 25, 2018

Susan Y. Soong  
Clerk, United States District Court

By:   
LISA R. CLARK, Deputy Clerk to the  
Honorable JAMES DONATO